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MEMO ENDORSED

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/31/22

FRANCISCO CASABLANCA,

SO ORDERED

LEWIS A. KAPLAN, USDJ

THE CITY OF NEW YORK *et al*;

Defendants.

21 Civ. 10832 (LAK)(JLC)

**STIPULATION
EXTENDING TIME TO
RESPOND TO
PARTIAL MOTION TO
DISMISS**

WHEREAS, Defendants filed a partial motion to dismiss Plaintiff's complaint on June 13, 2022 (Dkt. 42); and

WHEREAS the parties expect this to be the final stipulated extension. Although the parties recently agreed to extend the relevant deadlines by two days, three of Plaintiffs' counsel who have been working on Plaintiff's papers opposing Defendants' partial motion to dismiss have been largely unavailable the past few days. One has been actually on trial as a pro bono appointment in *Sloley v. VanBramer*, 14-cv-339 (N.D.N.Y.) The other has been engaged in intensive in-person and remote mediation sessions in the Summer 2020 protest cases consolidated for discovery and pre-trial purposes (*In re N.Y.C. Policing During Summer 2020 Demonstrations*, 20-cv-08924-CM-GWG (S.D.N.Y.)), and time-sensitive work related thereto. The third has toddlers who recently became ill, suddenly requiring him to spend time performing unanticipated childcare; and

WHEREAS In the past few days, Plaintiff's counsel learned of new developments in the case from the Office of the District Attorney of New York County. Plaintiff's counsel requires

time to process those developments and decide how they impact the current briefing on Defendants' motion to dismiss, if at all; and

WHEREAS in drafting Plaintiff's papers opposing Defendants' partial motion to dismiss, Plaintiff has decided to withdraw certain claims in order to narrow the issues for the Court to decide. The requested extension would allow Plaintiffs to streamline their papers in light of those decisions.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. Plaintiff's time to respond to the partial motion to dismiss shall be extended to September 6, 2022.
2. Defendants' time to reply shall be extended to September 30, 2022.

Dated: New York, New York
August 31, 2022